

SUMMARY OF PHONE INTERVIEW

June 10, 2008: The Examiner and Applicant's counsel Sabin Lee and Terry Tullis discussed the § 112 rejection and potential amendments to independent Claims 1 and 10.

Exhibits and/or Demonstrations: n/a

Identification of Claims Discussed: 1 and 10

Identification of Prior Art Discussed: Peavey (U.S. Publication 2003/0225421)

Proposed Amendments:

Amending Claim 1 to recite, in part "... locking the position of the proximal segment, the intermediate segment and the distal segment of the closure device after deployment with a locking element that is separate from the proximal segment, intermediate segment and the distal segment."

Claim 10 could be amended with similar language, or alternative language supported by the specification at [0098] as filed reciting "increasing clamping force" can be used.

Principal Arguments and Other Matters

Regarding the § 112 rejection, Applicant's counsel explained enablement with respect to the locking element and string shown in Figs. 2 and 3 of the pending application. Applicant will explain the enablement in the remarks of the response. Amendments for overcoming the cited art in the independent claims were discussed and will be submitted in the office action response.

Results of Interview

The Examiner will consider the remarks relating to the enablement of the claims in the remarks of the Applicant's response. The Examiner will also consider the amendments proposed to the claims.